

NO. 465

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

June 2, 2005

Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at the Pierpont Inn, in Ventura, California. The meeting was called to order by the President Toni Young, Councilmember, City of Port Hueneme. There was a quorum.

Members Present

Councilmember Toni Young, Port Hueneme, President	District 45
Supervisor Yvonne Burke, 1 st Vice President, Los Angeles County	
Supervisor Gary Ovitt, 2 nd Vice President, San Bernardino County	
Supervisor Judy Mikels, Ventura County	
Mayor Pro Tem Ron Roberts, Temecula, Immediate Past President	District 5
Councilmember Jon Edney, El Centro	District 1
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Councilmember Lee Ann Garcia, Grand Terrace	District 6
Mayor Larry McCallon, Highland	District 7
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Paul Eaton, Montclair	District 9
Councilmember Alan Wapner, Ontario	District 10
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Gene Daniels, Paramount	District 24
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Keith Hanks, Azusa	District 33
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Keith Millhouse, Moorpark	VCTC

Members Not Present

Supervisor Jeff Stone, Riverside County
Supervisor Victor Carillo, Imperial County :
Supervisor Zev Yaroslavsky, LA County

000001

Members Not Present – Cont'd

Supervisor Chris Norby, Orange County	District 2
Councilmember Greg Pettis, Cathedral City	District 4
Mayor Ron Loveridge, Riverside	District 11
Mayor Lawrence Dale, Barstow	District 12
Councilmember Cathryn De Young, Laguna Niguel	District 17
Councilmember Lou Bone, Tustin	District 18
Councilmember Christine Barnes, La Palma	District 19
Councilmember Richard Chavez, Anaheim	District 20
Councilmember Marilyn Poe, Los Alamitos	District 21
Councilmember Art Brown, Buena Park	District 22
Mayor John Beauman, Brea	District 23
Councilmember Paul Bowlen, Cerritos	District 26
Councilmember Isadore Hall, Compton	District 27
Councilmember Frank Gurule, Cudahy	District 28
Councilmember Judy Dunlap, Inglewood	District 29
Councilmember Rae Gabelich, Long Beach	District 34
Councilmember Paul Talbot, Alhambra	District 36
Councilmember Sid Tyler, Pasadena	District 37
Councilmember Tom Sykes, Walnut	District 38
Councilmember Paula Lantz, Pomona	District 41
Councilmember Pam O'Connor, Santa Monica	District 42
Councilmember Bob Yousefian, Glendale	District 47
Councilmember Carl Morehouse, San Buenaventura	District 43
Councilmember Mike Dispenza, Palmdale	District 48
Councilmember Ed Reyes, Los Angeles	District 49
Councilmember Wendy Greuel, Los Angeles	District 50
Councilmember Dennis Zine, Los Angeles	District 51
Councilmember Tom LaBonge, Los Angeles	District 52
Councilmember Jack Weiss, Los Angeles	District 53
Councilmember Tony Cardenas, Los Angeles	District 54
Councilmember Alex Padilla, Los Angeles	District 55
Councilmember Bernard Parks, Los Angeles	District 56
Councilmember Jan Perry, Los Angeles	District 57
Councilmember Martin Ludlow, Los Angeles	District 58
Councilmember Cindy Miscikowski, Los Angeles	District 59
Councilmember Greig Smith, Los Angeles	District 60
Councilmember Eric Garcetti, Los Angeles	District 61
Councilmember Antonio Villariagosa, Los Angeles	District 62
Councilmember Janice Hahn, Los Angeles	District 65
Councilmember Tim Jasper, Apple Valley	At-Large
Mayor James Hahn, Los Angeles	RCTC
Councilmember Robin Lowe, Hemet	OCTA
Supervisor Lou Correa, Orange County	

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer

000002

Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikhata, Director, Planning & Policy
Keith Killough, Director, Information Services
Shelia Stewart, Executive Assistant

1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE

2.0 INSPIRATIONAL MOMENT

President Young requested a moment of silence.

3.0 PUBLIC COMMENT PERIOD

There were no comments presented at this time.

4.0 CONSENT CALENDAR

The following consent calendar items were MOVED (Mikels), SECONDED (Cook) and UNANIMOUSLY APPROVED.

4.1 Approval Items

4.1.1 Minutes of May 5, 2005

4.1.2 Contracts/Procurement over \$250,000

- Aerial Information Systems
- Dell Inc.

4.1.3 Fulbright & Jaworski Contract

4.2 Receive & File

4.2.1 Contracts & Purchase Orders \$5,000 - \$250,000

- Citigroup Technologies
- SBC
- Avaya Financial Services
- Quality Laser Cartridge

4.2.2 Monthly Financial Report

4.2.3 State and Federal Legislative Matrix

4.2.4 Summary of Policy Committee Actions taken May 5, 2005

5.0 PRESIDENT'S REPORT

5.1 Appointments

RC District Election Results

Hon. Jon Edney, El Centro, District 1 (**Newly Elected**)

Hon. Frank Gurule, Cudahy, District 27 (Re-elected)

RC Members to Policy Committees

Hon. Chris Barnes, La Palma to TCC

Subregional Representatives to Policy Committees To TCC

Representing WRCOG

Hon. Shenna Moqet, Calimesa

Goods Movement Task Force

John Flicker, NITL

Peter Greenwald, AWMD

Jennifer Jaroski, Safe Highways

Peter Peyton, ILWU

Tribal Government Relations Task Force

(Created today by Administration Committee)

Hon. Yvonne Burke, Los Angeles County

Hon. Lawrence Dale, Barstow

Hon. Richard Dixon, Lake Forest

Hon. Tim Jasper, Town of Apple Valley

Hon. Gary Ovitt, San Bernardino County

Hon. Greg Pettis, Cathedral City

Hon. Ron Roberts, Temecula

Hon. Deborah Robertson, Rialto

Compass Partnership

Hon. Pam O'Connor, Santa Monica

Hon. Tod Ridgeway, Newport Beach

Mr. Greg McWilliams, Lennard Home Builders

Mr. Chris Martin, LA Chamber

5.2 Closed Session

5.2.1 Ratification of Executive Committee Report on Performance Evaluation of the Executive Director pursuant to Government Code section §54957(2).

President Young announced that the Executive Committee met briefly, however it was decided to continue discussion at the July meeting.

6.0 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano announced that the Rose Institute Academy for Civic Engagement (a leadership development institute) requested for SCAG to be a part of their faculty. The Institute also invited Regional Council as well as subregional members to participate at their upcoming conference held in June. He noted that SCAG could sponsor 3-4 board members.

Mr. Pisano stated that he and Heather Copp, CFO, attended a California Foundation on the Environment and the Economy Roundtable Conference on Transportation Infrastructure. The session was attended by 10 legislators-5 Senators, and 5 Assembly members. The focus of the meeting was innovative financing for transportation, design build and public private partnerships.

Mr. Pisano also reported on the second Executive Stakeholder Roundtable meeting on goods movement co-sponsored by SCAG and the CTCs. The group discussed performance measures designed to support development of public-private partnerships on goods movement projects. Staff will continue to develop a template for moving forward with a group of rail and highway projects totaling approximately \$4.2 billion, including environmental mitigation and financing strategies.

7.0 ACTION ITEMS

7.1 Administration Committee Report

7.1.1 WRCOG Request for Reimbursement of Indirect Cost

Tabled until the July meeting at the request of WRCOG.

7.1.2 Recommendation to Resolve Account Receivables (ARs) and Funding Adjustments

Heather Copp, CFO, stated that SCAG has incurred costs in several grants, principally during the period of FY 99-00 through FY 02-03, that have not been collected for various reasons. All efforts to collect these funds have now been exhausted and we have now determined that they must be written off. The Regional Council budgeted funds for this specific purpose at the April 7, 2005 meeting.

Ms. Copp also reported that over the last 18 months staff has been engaged in various activities to appeal or seek relief from Grantors for these ARs. It appears that SCAG is able to collect in two cases, two special projects undertaken in FY 01 through an MTA program.

In addition there were three instances of un-reimbursable expenses this fiscal year. Corrective actions have been instituted to eliminate re-occurrences.

Councilmember Dixon, Chair, stated that the Administration Committee recommended that the CFO be authorized to take appropriate action to write-off certain ARs and make appropriate funding adjustments.

It was MOVED (Dixon), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

7.1.3 Merit Pay PERS-ability for Lump Sum Payments

It was MOVED (Dixon), SECONDED (Washburn) and UNANIMOUSLY APPROVED.

7.1.4 Retiree Medical Contribution Vesting

SCAG currently has no minimum service requirement towards eligibility for its \$550 monthly contribution towards retiree CalPERS medical benefits. CalPERS require that the retiree be vested in CalPERS and retire from SCAG within 180 days of separation. CalPERS also require that the contribution towards retiree medical be the same level as that for active employees. CalPERS allow the employer to set a minimum number of services years with the employer or vesting period.

The Administration Committee recommended approving the establishment of a vesting requirement for SCAG's contribution to CalPERS retiree medical benefits to active employees (grandfather employees under existing requirements of vesting in CalPERS) and prospective employees (ten years of full-time CalPERS covered SCAG service).

It was MOVED (Dixon), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

7.1.5 Salary Range Adjustments

It was MOVED (Dixon), SECONDED (Washburn/Mikels) and UNANIMOUSLY APPROVED.

7.1.6 Tribal Governments

It was MOVED (Dixon), SECONDED (Robertson) to approve the work program and task force to facilitate formal agreement with the Tribal Governments as well as waive reading and approve Resolution 05-464-1.

7.2 Transportation & Communication Committee (TCC) Report

The TCC did not meet. There was no report.

7.3 **Community, Economic & Housing Development Committee (CEHD)**

7.3.1 **Housing & Transportation Legislation SB 832, SB 575 & SB 521 & SB 44**

Councilmember Robertson, Chair stated that the CEHD did not meet, however action was taken at their May meeting on the aforementioned legislation. It was recommended that the Regional Council support SB 832, SB 575 & SB 521 and oppose SB 44.

It was MOVED (Robertson), SECONDED (Garcia) and UNANIMOUSLY APPROVE to support SB 832, SB 575 & SB 521 and oppose SB 44.

7.3.2 **2% Strategy Demonstration Projects/ Suite of Services Selection Criteria**

It was MOVED (Robertson), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

7.4 **Energy & Environment Committee (EEC) Report**

The EEC did not meet. There was no report

8.0 **FUTURE AGENDA ITEMS**

There were no future agenda items requested.

9.0 **LEGAL COUNSEL REPORT**

9.1 **Closed Session**

- Reconsideration of Prior Board of Control Decision on; Statues 1980, Chpt. 1143
Claim No. 3929 Before the Commission on State Mandates
(Regional Housing Needs Determination Cost Reimbursement – Council of Governments)
Conference with Legal Counsel pursuant to Government Code section §54956.9
Pending Litigation (one potential case)

There was no closed session. However a report was provided by Counsel. Authorization was requested by Counsel to proceed with the filing of a Writ, with a condition that all of the Council of Governments draft a fair share cost allocation to support the litigation.

It was MOVED (Washburn), SECONDED (Mikels) and UNANIMOUSLY APPROVED.

- Morrison v. SCAG
Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066
Conference with Legal Counsel re: pending litigation
pursuant to Government Code section §54956.9(a)

No closed session was held on this matter.

- Havens v. SCAG
Havens v. Southern California Association of Governments,
Los Angeles County, Case No. BC 324931
Conference with Legal Counsel re: pending litigation
Pursuant to Government Code section §54956.9(a)

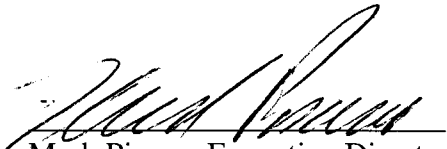
No closed session was held on this matter.

10.0 ANNOUNCEMENTS

Supervisor Mikels thanked the Regional Council for endorsing her nomination as 2nd Vice President of NARC. The election will be conducted at the NARC meeting in June.

11.0 ADJOURNMENT

There being no further business the meeting was adjourned into immediately into the Retreat workshops.


Mark Pisano, Executive Director